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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,530	10/23/2000	Zaher Al-Sheikh	ZAS-10204/03	9685
25006	7590	09/06/2006	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C PO BOX 7021 TROY, MI 48007-7021			DANG, DUY M	
			ART UNIT	PAPER NUMBER
			2624	
DATE MAILED: 09/06/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/694,530

Applicant(s)

AL-SHEIKH, ZAHER

Examiner

Duy M. Dang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/1/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5 and 7-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>W13/00</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment filed 6/1/06 has been entered and made of record.

Terminal Disclaimer

2. The terminal disclaimer filed on June 01, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,137,895 has been reviewed and is accepted. The terminal disclaimer has been recorded. As a result, the double-patenting rejection of claims 1, 3, 5, and 7-9 have been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5, and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBrouse (US Patent No. 5,920,053) and Yap et al. 1 (US Patent No. 6,108,636).

Regarding claim 1, DeBrouse teaches a process for encoding a boarding pass with an image of a passenger to facilitate identify verification (see figure 1), comprising the steps of:

verifying the identity of the passenger prior to the boarding and at a location beyond security perimeter (see col. 3 line 67 to col. 4 line 1);

taking an electronic image of the passenger with a camera capable of generating computer-storage image output (see camera 30 of figure 1 and col. 3 lines 58-60); and

printing a human-cognizable image of the passenger directly onto said boarding pass (see col. 3 lines 62-63);

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associating said computer storable image output with an individual travel datum of the passenger (see figure 5);

storing said computer-storage image output associated with said electronic image in a centralized database (see “airline computer system” mentioned in col. 3 lines 57-60).

DeBrouse fails to teach the features as recited in last three lines that of “retrieving said computer-storage image output as said human recognizable image on a video display in response to entry of an individualized travel datum of the passenger into a computer in communication with said centralized system”. However, using such features are well known in the art (Official Notice) in order to easily and speed up passenger identity checking. Supporting examiner’s taken official notice is in the reference to Yab’s patent cited herein. For example, such claimed features is satisfied by the text described in col. 9 lines 50-62 and col. 10 lines 5-14 of Yab.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the conventional teachings in combination with DeBrouse for that reasons.

Regarding claim 3, DeBrouse fails to teach the use of color ink, using color ink is well known in the art (Official Notice) in order to visually improve the recognizing the image printed on the boarding pass therefore to enhance identity of the boarding pass bearer. For example, the photo shown at 111 of figure 5 is evidenced for color ink (black or other colors) used to print photo.

As to claim 5, DeBrouse does not specifically teach the use of non-smudgeable ink, using non-smudgeable ink is well known in the art (Official Notice) in order to improve image quality thereby visually enhance the recognizing the image printed on the boarding pass therefore to

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enhance identity of the boarding pass bearer. For example, the photo shown at 111 of figure 5 is evidenced for non-smudgeable ink (black or other colors) used to print photo.

Regarding claim 7, DeBrouse teaches a travel boarding pass system for verifying the identity of a bearer (see figure 1) comprising: a self-support boarding pass having a human-cognizable image of the bearer printed thereon, the human-cognizable image being printed in an ink color associated with a transport departure of the bearer (see col. 3 line 56 to col. 4 line 3 in together with “boarding pass” 120 of figure 1).

DeBrouse fails to teach the use of color ink, using color ink is well known in the art (Official Notice) in order to visually improve the recognizing the image printed on the boarding pass therefore to enhance identity of the boarding pass bearer. For example, the photo shown at 111 of figure 5 is evidenced for color ink (black or other colors) used to print photo.

Regarding claims 8-9, these claims are also rejected for the same reasons as set forth in claims 1 and 7 above.

Response to Arguments

5. Applicant's arguments filed 6/1/06 have been fully considered but they are not persuasive.

In response to applicant's arguments with regard to the examiner's taken Official Notice, supporting statements given in the claim rejection section above, see paragraph 4 are incorporated herein.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., associated with passenger identity verification while boarding a plane [page 6 second paragraph], blue ink

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and blue ink background to image [page 7 second full paragraph], machine data reader [page 8 first paragraph], reading of database encoded on a board pass [last paragraph of page 8]) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M. Dang whose telephone number is 571-272-7389. The examiner can normally be reached on Monday to Friday from 6:00AM to 2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C. Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

dmd
8/06

A handwritten signature in black ink, appearing to read 'Duy M. Dang', with a long, sweeping horizontal stroke at the end.

DUY M. DANG
PRIMARY EXAMINER